

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ARLEY MCCULLAR, et al.,

Plaintiffs,

v.

CV No. 19-03 SMV/CG

PECOS VALLEY OF NEW MEXICO, LLC, et al.,

Defendants.

ORDER DENYING MOTION FOR PROTECTIVE ORDER

THIS MATTER is before the Court on Defendants' *Motion for Protective Order*, (Doc. 53), filed June 27, 2019, Plaintiffs' Response to the Motion, (Doc. 54), filed July 1, 2019, and Defendant's Reply to the Motion, (Doc. 56), filed July 3, 2019. The Court conducted a hearing on the Motion on July 9, 2019. At the hearing, the Court found that Defendants' Motion for Protective Order was untimely under Local Rule 30.2, and Defendants did not provide good cause for failing to appear for a deposition.

IT IS THEREFORE ORDERED that Defendant's *Motion for Protective Order*, (Doc. 53), is **DENIED**.

IT IS FURTHER ORDERED that Defendants' motion on the issue of whether Defendant Pecos Valley was a qualified healthcare provider under the New Mexico Medical Malpractice Act is due by **July 10, 2019**. Plaintiffs' response is due by **July 22, 2019**, and Defendants' reply is due by **July 31, 2019**. In their motion, Defendants may only rely on information that has already been produced to Plaintiffs, but Plaintiffs will not be limited in the information they can use to respond to Defendants' motion.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE